



SPW 1711 \$

PATENT

Customer No. 22,852

Attorney Docket No. 05725.0806-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Carlos O. PINZON et al.) Group Art Unit: 1711
)
Application No.: 09/733,896) Examiner: U. K. RAJGURU
)
Filed: December 12, 2000)
)
For: COMPOSITIONS COMPRISING)
AT LEAST ONE OIL-SOLUBLE)
POLYMER CHOSEN FROM)
ALKYL CELLULOSES AND)
ALKYLATED GUAR GUMS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Office the documents on the attached Form PTO/SB/08. This Supplemental Information Disclosure Statement (SIDS) is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this SIDS is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the listed documents, excluding any U.S. Patents, U.S. Patent Application Publications, and co-pending U.S. Patent Applications which are available in the Image File Wrapper System, are attached.

Further to the Notification of Pending Litigation filed on July 23, 2004, in this application, Applicants submit four additional documents from the on-going litigation *L'Oreal S.A., et al. v. Estee Lauder Companies Inc. et al.*, Civil Action No. 04-1660 (D.N.J.). The first document is Estee Lauder's Amended Answer and Counterclaims, dated April 21, 2005. The second document is a copy of Estee Lauder's Response to Plaintiffs' First Set of Interrogatories (Nos. 1-6). The third document is a copy of Estee Lauder's Response to Plaintiffs' Third Set of Interrogatories (Nos. 8-13). The fourth document is a copy of the court docket, as of January 2, 2005, for this case. All four of these documents are enclosed with this Information Disclosure Statement and listed on the IDS Form PTO/SB/08.

The United States Court of Appeals for the Federal Circuit held in *Dayco Products, Inc. v. Total Containment, Inc.*, 329 F.3d 1358, 66 U.S.P.Q.2d 1801 (Fed. Cir. 2003), that an "adverse decision" by another examiner may meet the materiality standard under the amended Rule 56, and thus, Applicants should disclose prior rejections of "substantially similar claim[s]" to the Office. Accordingly, although Applicants are not representing that the office actions in the co-pending applications are material to the present application and are not admitting that any of the other claims are substantially similar, out of an abundance of caution, Applicants have listed the substantive office actions filed in co-pending applications on the attached form.

Applicants respectfully request that the Office consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

Non-English Language References

With respect to the following non-English language documents listed on the attached Form PTO/SB/08, Applicants provide the following information regarding English-language abstracts and translations:

1. **DE 197 26 184 A1** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
2. **DE 197 55 649 A1** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith. The document is believed to be related to U.S. Patent No. 6,159,455, which is listed herewith.
3. **DE 198 55 649 A1** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith. The document is believed to be related to U.S. Patent No. 6,545,174, which is listed herewith.
4. **EP 0 507 692 A1** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith. The document is believed to be related to U.S. Patent No. 5,252,323, which is listed herewith.
5. **EP 0 518 772 A1** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith. The document is believed to be related to U.S. Patent No. 5,795,565, which is listed herewith.
6. **EP 0 518 773 A1** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith. The document is believed to be related to U.S. Patent No. 5,695,747, which is listed herewith.

7. **EP 0 669 323 A1** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith. The document is believed to be related to U.S. Patent No. 5,585,091, which is listed herewith.
8. **EP 0 775 698 A1** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith. The document is believed to be related to U.S. Patent No. 5,955,060, which is listed herewith.
9. **EP 0 790 243 A1** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith. The document is believed to be related to U.S. Patent No. 5,849,909, which is listed herewith.
10. **EP 0 863 145 A2** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith. The document is believed to be related to U.S. Patent No. 5,976,512, which is listed herewith.
11. **EP 0 878 469 A1** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith. The document is believed to be related to U.S. Patent No. 5,962,452, which is listed herewith.
12. **EP 0 967 200 A1** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith. The document is believed to be related to U.S. Patent No. 6,093,385, which is listed herewith.
13. **FR 2 315 991** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith. The document is believed to be related to British Patent No. 1,539,625, which is submitted herewith.

14. **FR 2 416 008** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith. The document is believed to be related to U.S. Patent No. 4,247,411, which is listed herewith.
15. **FR 2 796 550** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
16. **JP 50/58242** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract for JP 78 043577, which is submitted herewith.
17. **WO 93/04665** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
18. **WO 98/25922** - An abstract of this document can be found on the front of this document, as well as the English language Derwent Abstract submitted herewith. This document is believed to be related to U.S. Patent No. 6,361,764 and U.S. Application Publication No. US 2002/0010179 A1, which are listed herewith.

Additional DERWENT Abstracts

With respect to the following DERWENT abstracts listed on the attached Form PTO/SB/08, Applicants note that the corresponding non-English language documents were cited in the Information Disclosure Statements (IDSs) submitted on July 24, 2003 and May 18, 2004; however, those IDSs did not separately list the submission of the relevant DERWENT abstracts. Applicants wish for these DERWENT abstracts to be considered by the Examiner and listed on the face of any patent granted on the present application. Applicants submit these documents herewith for consideration:

1. **DERWENT WO 01/97773** - corresponding non-English language document submitted on May 18, 2004, not yet initialed and returned by the Examiner;
2. **DERWENT WO 02/056847** - corresponding non-English language document submitted on May 18, 2004, not yet initialed and returned by the Examiner;
3. **DERWENT WO 02/056848** - corresponding non-English language document submitted on May 18, 2004, not yet initialed and returned by the Examiner;
4. **DERWENT WO 02/47622** - corresponding non-English language document submitted on May 18, 2004, not yet initialed and returned by the Examiner;
5. **DERWENT WO 02/47629** - corresponding non-English language document submitted on May 18, 2004, not yet initialed and returned by the Examiner;
6. **DERWENT WO 02/47630** - corresponding non-English language document submitted on May 18, 2004, not yet initialed and returned by the Examiner; and
7. **DERWENT WO 02/056847** - corresponding non-English language document submitted on October 23, 2003, and initialed by the Examiner on July 24, 2003.

Conclusion

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Office applies any of the listed documents as prior art against any claims in the application and Applicants determine that the cited document do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

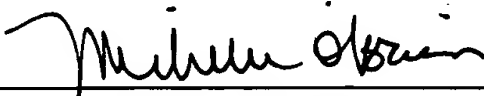
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 5, 2005

By: 
Michelle E. O'Brien
Reg. No. 46,203

AUG 05 2005

Complete if Known

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	11	Application Number	09/733,896
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Filing Date	December 12, 2000
First Named Inventor	Carlos O. PINZON et al.
Art Unit	1711
Examiner Name	U.K. RAJGURU
Attorney Docket Number	05725.0806-00000

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No.	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code (if known)			
		2,463,264	3/1/1949	Graenacher	
		4,148,875	4/10/1979	Barnett et al.	
		4,247,411	1/27/1981	Vanlerberghe et al.	
		4,367,390	1/4/1983	Balleys et al.	
		4,620,492	11/4/1986	Vogg et al.	
		4,724,137	2/9/1988	Hoppe et al.	
		4,822,601	4/18/1989	Goode et al.	
		5,034,219	7/23/1991	Deshpande et al.	
		5,061,289	10/29/1991	Clausen et al.	
		5,073,364	12/17/1991	Giezendanner et al.	
		5,085,859	2/4/1992	Halloran et al.	
		5,166,355	11/24/1992	Leistner et al.	
		5,196,260	3/23/1993	Dirshl et al.	
		5,237,071	8/17/1993	Leistner et al.	
		5,252,323	10/12/1993	Richard et al.	
		5,268,029	12/7/1993	Demangeon et al.	
		5,290,555	3/1/1994	Guthauser et al.	
		5,486,431	1/23/1996	Tuttle et al.	
		5,489,431	2/6/1996	Ascione et al.	
		5,585,091	12/17/1996	Pelzer et al.	
		5,605,651	2/25/1997	Balzer	
		5,628,029	12/7/1993	Demangeon et al.	
		5,695,747	12/9/1997	Forestier et al.	
		5,702,519	12/30/1997	Nitta et al.	
		5,769,902	6/23/1988	Samain	
		5,783,657	7/21/1998	Pavlin et al.	
		5,795,565	8/18/1998	Eteve et al.	
		5,830,444	11/3/1998	Miguel	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known Application Number: 09/733,896 Filing Date: December 12, 2000 First Named Inventor: Carlos O. PINZON et al. Art Unit: 1711 Examiner Name: U.K. RAJGURU Attorney Docket Number: 05725.0806-00000	
Sheet	2	of	11		

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No.	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code (if known)			
		5,849,909	12/15/1998	Richard et al.	
		5,955,060	9/21/1999	Huglin et al.	
		5,962,452	10/5/1999	Haase et al.	
		5,972,095	10/26/1999	Graves et al.	
		5,976,512	11/2/1999	Huber	
		5,993,787	11/30/1999	Sun et al.	
		6,001,980	12/14/1999	Borzo et al.	
		6,045,782	4/4/2000	Krog et al.	
		6,066,328	5/23/2000	Ribier et al.	
		6,093,385	7/25/2000	Habeck et al.	
		6,132,745 A	10/17/2000	Marchi-lemann et al.	
		6,159,455	12/12/2000	Habeck et al.	
		6,171,347	1/9/2001	Kunz	
		6,203,780 B1	3/20/2001	Arnaud et al.	
		6,214,326	4/10/2001	Dupuis	
		6,214,329 B1	4/10/2001	Brieva et al.	
		6,224,851 B1	5/1/2001	Bara	
		6,361,764 B2	3/26/2002	Herve Richard et al.	
		6,399,080 B1	6/4/2002	Bara	
		6,428,773 B1	8/6/2002	Oko et al.	
		6,447,759 B2	9/10/2002	Noguchi et al.	
		6,506,716	1/14/2003	Delplancke et al.	
		6,545,174	4/8/2003	Habeck et al.	
		6,552,160 B2	4/22/2003	Pavlin, Mark S.	
		6,649,173 B1	11/18/2003	Arnaud et al.	
		6,682,748 B1	1/27/2004	De La Poterie et al.	
		6,716,420	4/6/2004	Feng et al.	
		6,726,917 B2	4/27/2004	Kanji et al.	
		6,761,881 B2	7/13/2004	Bara	
Examiner Signature				Date Considered	

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(Use as many sheets as necessary)

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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No.	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code (if known)			
		6,875,245 B2	4/5/2005	Pavlin, Mark S.	
		US 2002/0010179 A1	1/24/2002	Richard et al.	
		US 2002/0120036 A1	8/29/2002	Pinzon et al.	
		US 2003/0086883 A1	5/8/2003	Feng et al.	
		US 2003/0147837 A1	8/7/2003	Cavazzuti et al.	
		US 2003/0161807 A1	8/28/2003	Lemann	
		US 2003/0161848 A1	8/28/2003	Ferrari et al.	
		US 2003/0185780 A1	10/2/2003	Ferrari et al.	
		US 2003/0198613 A1	10/23/2003	Feng et al.	
		US 2004/0013625 A1	1/22/2004	Kanji	
		US 2004/0028636 A1	2/12/2004	Collin	
		US 2004/0042980 A1	3/4/2004	Kanji et al.	
		US 2004/0086478 A1	5/6/2004	Ferrari	
		US 2004/0091510 A1	5/13/2004	Feng et al.	
		US 2004/0126401 A1	7/1/2004	Collin	
		US 2004/0166076 A1	8/26/2004	Ferrari et al.	
		US 2004/0166133 A1	8/26/2004	Cavazzuti et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation
		Country Code Number Kind Code (if known)				
		DE 197 26 184 A1	12/24/1998	Gers-Barlag		Abstract
		DE 197 55 649 A1	6/17/1999	Habeck et al.		Abstract
		DE 198 55 649 A1	6/8/2000	Habeck et al.		Abstract
		EP 0 507 692 A1	10/7/1992	Richard et al.		Abstract
		EP 0 517 104 B1	12/9/1992	Raspanti		English
		EP 0 518 772 A1	12/16/1992	Eteve et al.		Abstract

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FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document Country Code Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation
		EP 0 518 773 A1	12/16/1992	Forestier et al.		Abstract
		EP 0 570 838 B1	11/24/1993	Raspanti		English
		EP 0 669 323 A1	8/30/1995	Pelzer et al.		Abstract
		EP 0 775 698 A1	5/28/1997	Huglin et al.		Abstract
		EP 0 790 243 A1	8/20/1997	Richard et al.		Abstract
		EP 0 796 851 A1	9/24/1997	Raspanti		English
		EP 0 863 145 A2	9/9/1998	Huber		Abstract
		EP 0 878 469 A1	11/18/1998	Haase et al.		Abstract
		EP 0 893 119 B1	1/27/1999	Luther		English
		EP 0 933 376 A2	8/4/1999	Huber		English
		EP 0 967 200 A1	12/29/1999	Habeck et al		Abstract
		EP 1 044 676 A2	10/18/2000	Ishii et al.		English
		FR 2 315 991	1/28/1977	Vanlerberghe et al.		Abstract
		FR 2 416 008	8/31/1979	Vanlergerghe et al.		Abstract
		FR 2 796 550	1/26/2001	Dencausse et al.		Abstract
		GB 1 539 625	1/31/1979	Vanlerberghe et al.		English
		JP 50/58242	5/21/1975			Abstract
		WO 05/013887 A2	2/17/2005	Lu et al		English
		WO 93/04665	3/18/1993	Forestier et al.		Abstract
		WO 98/25922	6/18/1998	Richard et al.		Abstract

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation
		Bangham, A.D. et al. Diffusion of Univalent Ions across the Lamellae of Swollen Phospholipids, Journal of Molecular Biology, pp. 238-252, Vol. 13, August to October 1965	

Examiner Signature		Date Considered	
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Sheet

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Attorney Docket Number	05725.0806-00000

AUG 05 2005

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Trademark No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation
		Co-Pending Application No. 10/182,830; Attorney Docket No. 05725.0795-01 Title: COSMETIC COMPOSITION COMPRISING HETERO POLYMERS AND A SOLID SUBSTANCE AND METHOD OF USING SAME U.S. Filing Date: August 2, 2002	
		Co-Pending Application No. 10/203,018; Attorney Docket No. 05725.0816-01 Title: COMPOSITION COMPRISING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE INERT FILLER AND METHODS FOR USE U.S. Filing Date: August 5, 2002	
		Co-Pending Application No. 10/203,254; Attorney Docket No. 05725.0817-01 Title: COSMETIC COMPOSITIONS CONTAINING AT LEAST ONE HETEROPOLYMER AND AT LEAST ONE GELLING AGENT AND METHODS OF USING THE SAME U.S. Filing Date: August 7, 2002	
		Co-Pending Application No. 10/494,864; Attorney Docket No. 06028.0047-00 Title: COMPOSITION CONTAINING AN AMINO ACID N-ACYLATED ESTER AND A POLYAMIDE-STRUCTURED UV FILTER U.S. Filing Date: November 23, 2004	
		Co-Pending Application No. 10/699,780, Attorney Docket No. 5725.0895-02 Title: METHODS OF DISPERSING AT LEAST ONE COLORING AGENT USING AT LEAST ONE HETEROPOLYMER U.S. Filing Date: November 4, 2003	
		Co-Pending Application No. 10/918,579, Attorney Docket No. 05725.0808-02 Title: COMPOSITIONS CONTAINING HETEROPOLYMERS AND OILSOLUBLE ESTERS AND METHODS OF USING SAME U.S. Filing Date: August 16, 2004.	
		Co-Pending Application No. 10/990,475, Attorney Docket No. 05725.1004-01 Title: USE OF A POLYMER FOR OBTAINING AN EXPRESS MAKE-UP OF KERATIN MATERIALS U.S. Filing Date: November 18, 2004	
		Co-Pending Application No. 10/993,430, Attorney Docket No. 05725.1003-01 Title: COSMETIC COMPOSITION COMPRISING A POLYMER BLEND U.S. Filing Date: November 22, 2004	
		Co-Pending Application No. 10/993,431, Attorney Docket No. 05725.0932-01 Title: A TRANSFER-FREE COMPOSITION STRUCTURED IN RIGID FORM BY A POLYMER U.S. Filing Date: November 22, 2004	
		Co-Pending Application No. 11/019,382, Attorney Docket No. 05725.1378 Title: COSMETIC COMPOSITION COMPRISING TWO DIFFERENT HETERO POLYMERS AND METHOD OF USING SAME U.S. Filing Date: December 23, 2004	
		English language DERWENT abstract of DE 197 26 184	
		English language DERWENT abstract of DE 197 55 649 A1	
		English language DERWENT abstract of DE 198 55 649 A1	
		English language DERWENT abstract of EP 0 507 692 A1	

Examiner
SignatureDate
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

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of

11

Complete if Known

<i>Application Number</i>	09/733,896
<i>Filing Date</i>	December 12, 2000
<i>First Named Inventor</i>	Carlos O. PINZON et al.
<i>Art Unit</i>	1711
<i>Examiner Name</i>	U.K. RAJGURU
<i>Attorney Docket Number</i>	05725.0806-00000

AUG 05 2005

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite Info	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation
		English language DERWENT abstract of EP 0 518 772 A1	
		English language DERWENT abstract of EP 0 518 773 A1	
		English language DERWENT abstract of EP 0 669 323 A1	
		English language DERWENT abstract of EP 0 775 698 A1	
		English language DERWENT abstract of EP 0 790 243 A1	
		English language DERWENT abstract of EP 0 863 145 A2	
		English language DERWENT abstract of EP 0 878 469 A1	
		English language DERWENT abstract of EP 0 967 200 A1	
		English language DERWENT abstract of FR 2 315 991	
		English language DERWENT abstract of FR 2 416 008	
		English language DERWENT abstract of FR 2 796 550	
		English language DERWENT abstract of JP 78/043577	
		English language DERWENT abstract of WO 01/97773	
		English language DERWENT abstract of WO 02/056847	
		English language DERWENT abstract of WO 02/056848	
		English language DERWENT abstract of WO 02/47622	
		English language DERWENT abstract of WO 02/47629	
		English language DERWENT abstract of WO 02/47630	
		English language DERWENT abstract of WO 86/04916	
		English language DERWENT abstract of WO 93/04665	
		English language DERWENT abstract of WO 98/25922	
		Estee Lauder MagnaScopic Maximum Volume mascara product packaging, believed to have first been sold in 2003	
		Estee Lauder's Amended Answer and Counterclaims, dated April 21, 2005, in the on-going litigation L'Oreal S.A., et al., v. The Estee Lauder Companies Inc., et al., Civil Action No. 04-1660 (D.N.J.)	
		Estee Lauder's Response to Plaintiff's First Set of Interrogatories (Nos. 1-6), dated September 27, 2004, in the on-going litigation L'Oreal S.A., et al. v. The Estee Lauder Companies Inc., et al., Civil Action No. 04-1660 (D.N.J.)	

Examiner Signature		Date Considered	
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

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Complete if Known

Application Number	09/733,896
Filing Date	December 12, 2000
First Named Inventor	Carlos O. PINZON et al.
Art Unit	1711
Examiner Name	U.K. RAJGURU
Attorney Docket Number	05725.0806-00000

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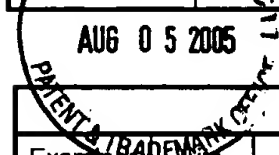
NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite (Patent & Trademark No.)	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation
		Estee Lauder's Response to Plaintiff's Third Set of Interrogatories (Nos. 8-13), dated June 21, 2005, in the on-going litigation L'Oreal S.A., et al. v. The Estee Lauder Companies Inc., et al., Civil Action No. 04-1660 (D.N.J.)	
		International Search Report in PCT/US03/41618 (Atty. Docket No. 05725.1338-00304), dated March 11, 2005	
		International Search Report in PCT/US04/01071 (Atty. Docket No. 5725.1335-00304), dated February 22, 2005	
		McCutcheon's VOLUME 1: Emulsifiers & Detergents, North American Edition MC Publishing Co., Glen Rock NJ (1993), pp. 272-273.	
		Office Action in co-pending Application No. 09/618,066 (Attorney Docket No. 05725.0656-00) dated December 21, 2001 (Ex. Seidleck)	
		Office Action in co-pending Application No. 09/618,066 (Attorney Docket No. 05725.0656-00) dated July 15, 2002 (Ex. Sheikh)	
		Office Action in co-pending Application No. 09/618,066 (Attorney Docket No. 05725.0656-00) dated July 16, 2003 (Ex. Sheikh)	
		Office Action in co-pending Application No. 09/618,066 (Attorney Docket No. 05725.0656-00) dated November 19, 2003 (Ex. Sheikh)	
		Office Action in co-pending Application No. 09/685,577 (Attorney Docket No. 05725.0656-01) dated August 11, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 09/685,577 (Attorney Docket No. 05725.0656-01) dated July 15, 2002 (Ex. Sheikh)	
		Office Action in co-pending Application No. 09/685,577 (Attorney Docket No. 05725.0656-01) dated July 16, 2003 (Ex. Sheikh)	
		Office Action in co-pending Application No. 09/685,577 (Attorney Docket No. 05725.0656-01) dated November 19, 2003 (Ex. Sheikh)	
		Office Action in co-pending Application No. 09/685,578 (Attorney Docket No. 05725.0659-01) dated August 11, 2004 (Ex. Pryor)	
		Office Action in co-pending Application No. 09/685,578 (Attorney Docket No. 05725.0659-01) dated February 8, 2005 (Ex. Pryor)	
		Office Action in co-pending Application No. 09/685,578 (Attorney Docket No. 05725.0659-01) dated May 7, 2003 (Ex. Pryor)	
		Office Action in co-pending Application No. 09/685,578 (Attorney Docket No. 05725.0659-01) dated November 19, 2003 (Ex. Pryor)	
		Office Action in co-pending Application No. 09/733,896 (Attorney Docket No. 05725.0806) dated January 28, 2003 (Ex. Rajguru)	
		Office Action in co-pending Application No. 09/733,896 (Attorney Docket No. 05725.0806) dated July 19, 2002 (Ex. Rajguru)	

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IDS Form PTO/SB/08: Substitute for form 1449A/PTO				Complete if Known	
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				Filing Date	December 12, 2000
				First Named Inventor	Carlos O. PINZON et al.
				Art Unit	1711
				Examiner Name	U.K. RAJGURU
Sheet	8	of	11	Attorney Docket Number	05725.0806-00000



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		Office Action in co-pending Application No. 09/733,896 (Attorney Docket No. 05725.0806) dated November 18, 2003 (Ex. Rajguru)	
		Office Action in co-pending Application No. 09/733,897 (Attorney Docket No. 05725.0809) dated April 15, 2002 (Ex. Berman)	
		Office Action in co-pending Application No. 09/733,897 (Attorney Docket No. 05725.0809) dated April 23, 2003 (Ex. Wells)	
		Office Action in co-pending Application No. 09/733,897 (Attorney Docket No. 05725.0809) dated August 29, 2002 (Ex. Berman)	
		Office Action in co-pending Application No. 09/733,897 (Attorney Docket No. 05725.0809) dated May 6, 2004 (Ex. Yu)	
		Office Action in co-pending Application No. 09/733,898 (Attorney Docket No. 05725.0808) dated April 25, 2005 (Ex. Yoon)	
		Office Action in co-pending Application No. 09/733,898 (Attorney Docket No. 05725.0808) dated April 29, 2003 (Ex. Yoon)	
		Office Action in co-pending Application No. 09/733,898 (Attorney Docket No. 05725.0808) dated August 28, 2002 (Ex. Yoon)	
		Office Action in co-pending Application No. 09/733,898 (Attorney Docket No. 05725.0808) dated December 23, 2003 (Ex. Yoon)	
		Office Action in co-pending Application No. 09/733,899 (Attorney Docket No. 05725.0594) dated April 7, 2004 (Ex. Lamm)	
		Office Action in co-pending Application No. 09/733,899 (Attorney Docket No. 05725.0594) dated April 9, 2003 (Ex. Lamm)	
		Office Action in co-pending Application No. 09/733,899 (Attorney Docket No. 05725.0594) dated May 3, 2005 (Ex. Venkat)	
		Office Action in co-pending Application No. 09/733,899 (Attorney Docket No. 05725.0594) dated September 22, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 09/733,900 (Attorney Docket No. 05725.0595) dated April 7, 2004 (Ex. Lamm)	
		Office Action in co-pending Application No. 09/733,900 (Attorney Docket No. 05725.0595) dated December 1, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 09/733,900 (Attorney Docket No. 05725.0595) dated July 16, 2003 (Ex. Lamm)	
		Office Action in co-pending Application No. 09/733,900 (Attorney Docket No. 05725.0595-00), dated June 2, 2005 (Ex. Venkat)	
		Office Action in co-pending Application No. 09/749,036 (Attorney Docket No. 05725.0832) dated August 13, 2003 (Ex. Howard)	

Examiner Signature		Date Considered	
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Examiner Name	U.K. RAJGURU
Attorney Docket Number	05725.0806-00000

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		Office Action in co-pending Application No. 09/749,036 (Attorney Docket No. 05725.0832) dated July 16, 2002 (Ex. Howard)	
		Office Action in co-pending Application No. 09/749,036 (Attorney Docket No. 05725.0832) dated May 5, 2004 (Ex. Howard)	
		Office Action in co-pending Application No. 09/749,036 (Attorney Docket No. 05725.0832-00) dated April 29, 2005 (Ex. Venkat)	
		Office Action in co-pending Application No. 09/899,909 (Attorney Docket No. 05725.0920) dated December 18, 2001 (Ex. Dodson)	
		Office Action in co-pending Application No. 09/937,314 (Attorney Docket No. 05725.0932) dated May 19, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 09/971,028 (Attorney Docket No. 05725.0895) dated August 11, 2003 (Ex. Wang)	
		Office Action in co-pending Application No. 09/971,028 (Attorney Docket No. 05725.0895) dated March 26, 2003 (Ex. Wang)	
		Office Action in co-pending Application No. 10/012,029 (Attorney Docket No. 05725.1003) dated November 20, 2002 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,029 (Attorney Docket No. 05725.1003) dated September 08, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,051 (Attorney Docket No. 05725.1004) dated January 14, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,051 (Attorney Docket No. 05725.1004) dated May 14, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,051 (Attorney Docket No. 05725.1004) dated October 3, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,052 (Attorney Docket No. 05725.1005) dated August 9, 2004 (Ex. Wells)	
		Office Action in co-pending Application No. 10/012,052 (Attorney Docket No. 05725.1005) dated November 6, 2003 (Ex. Wells)	
		Office Action in co-pending Application No. 10/012,052 (Attorney Docket No. 05725.1005-00), dated June 3, 2005 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/046,568 (Attorney Docket No. 05725.1018) dated December 30, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/046,568 (Attorney Docket No. 05725.1018) dated June 12, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/046,568 (Attorney Docket No. 05725.1018) dated November 5, 2002 (Ex. Venkat)	

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Art Unit	1711
Examiner Name	U.K. RAJGURU
Attorney Docket Number	05725.0806-00000

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		Office Action in co-pending Application No. 10/046,568 (Attorney Docket No. 05725.1018) dated September 22, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/047,987 (Attorney Docket No. 05725.1020) dated December 11, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/047,987 (Attorney Docket No. 05725.1020) dated September 7, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/182,830 (Attorney Docket No. 05725.0795-01) dated April 4, 2005 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/182,830 (Attorney Docket No. 05725.0795-01) dated August 24, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/198,931 (Attorney Docket No. 05725.0896) dated December 18, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/198,931 (Attorney Docket No. 05725.0896) dated September 1, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/203,018 (Attorney Docket No. 05725.0816-01) dated May 19, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/203,254 (Attorney Docket No. 05725.0817-01) dated April 22, 2005 (Ex. Berko)	
		Office Action in co-pending Application No. 10/203,375 (Attorney Docket No. 06028.0018-00), dated May 13, 2005 (Ex. Punnose)	
		Office Action in co-pending Application No. 10/312,083 (Attorney Docket No. 05715.1187) dated April 18, 2005 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/312,083 (Attorney Docket No. 05725.1187) dated October 1, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/413,217 (Attorney Docket No. 05725.0895-01) dated September 9, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/699,780 (Attorney Docket No. 05725.0895-02) dated September 22, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/699,780 (Attorney Docket No. 05725.0895-02), dated June 15, 2005 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/746,612 (Attorney Docket No. 05715.1338-01) dated September 20, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/746,612 (Attorney Docket No. 05725.1338-01) dated June 15, 2005 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/787,440 (Attorney Docket No. 05725.0816-02) dated August 24, 2004 (Ex. Venkat)	

Examiner
SignatureDate
Considered

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		Office Action in co-pending Application No. 10/787,441, (Attorney Docket No. 05725.0795-02) dated April 5, 2005 (Ex. Venkat)	
		Origins Full Story™ Lush lash mascara product packaging, believed to have first been sold in 2003	
		Richard J. Lewis, Sr., "Ricinoleic Acid," Hawley's Condensed Chemical Dictionary 972 (13th. 1997)	
		U.S. District Court for the District of New Jersey Civil Docket for L'Oreal S.A. et al. v. Estee Lauder Companies, Inc., et al., Civ. No. 04-1660 (HAA) (filed April 7, 2004) (retrieved January 2, 2005)	
		Harry's Cosmetology 375-383 (J. B. Wilkinson & R. J. Moore eds., Chemical Pub. 7th ed. 1982)	

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